



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair.



Arnold
Schwarzenegger
Governor

415 Knollcrest Drive, Suite 100, Redding, California 96002
(530) 224-4845 • Fax (530) 224-4857
<http://www.waterboards.ca.gov/centralvalley>

2 December 2009

CERTIFIED MAIL

7008 2810 0000 8338 2714

Mr. Ruben Martinez
Operations and Maintenance Director
City of Chico
965 Fir Street
Chico, CA 95927

TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2009-0577, CITY OF CHICO REGIONAL WATER POLLUTION CONTROL PLANT, CHICO, BUTTE COUNTY

Enclosed is a tentative Administrative Civil Liability (ACL) Order alleging violations of Waste Discharge Requirements (WDRs) Order R5-2004-0073 (NPDES No. CA0079081). CWC section 13385 authorizes the Central Valley Water Board to impose administrative civil liability for such violations. Based on an evaluation of the factors outlined in CWC section 13385, the Order proposes an administrative civil liability of **\$153,000**.

ACL Complaint R5-2009-0523 was issued on 17 March 2009, and the City of Chico subsequently waived its right to a hearing before the Central Valley Water Board within 90 days of service of the Complaint. The City of Chico then engaged the Central Valley Water Board's Prosecution Team in settlement discussions. The City of Chico presented several Supplemental Environmental Projects (SEP) for consideration. The Central Valley Water Board's Prosecution Team has approved the Big Chico Creek Watershed Citizen Monitoring Program SEP, which will satisfy \$75,000 of the penalty upon satisfactory completion.

Issuance of this Order constitutes a settlement of the violations alleged in Administrative Civil Liability Complaint R5-2009-0523. This Order will be circulated to the public for a period of 30 days in order to allow interested persons to comment on this action. Electronic copies of the tentative Order are available for viewing and downloading on our website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders

Should the Central Valley Water Board receive new information or comments during this comment period, the Central Valley Water Board's Assistant Executive Officer may withdraw the tentative Order. Interested persons should submit any comments on this Order by **January 2010** to the Central Valley Water Board's Redding office at the above address, attention Greg Cash.

4



If you have any questions, please contact Greg Cash at (530) 224-3208, gdcash@waterboards.ca.gov, or the letterhead address above.

JAMES C. PEDRI, P.E.
Assistant Executive Officer

GC: knr

Enclosures

cc w/o encl:

Mr. Rick Brausch, U.S. Environmental Protection Agency, Region IX, San Francisco
Mr. Jason Brush, U.S. Environmental Protection Agency, Region IX, San Francisco
Department of Fish and Game, Region II, Rancho Cordova
Department of Health Services, Office of Drinking Water, Redding
Department of Water Resources, Northern District Office, Red Bluff
Ms. Val Conner, State Water Resources Control Board, Division of Water Quality,
Sacramento
Mr. Patrick Pulupa, State Water Resources Control Board, OCC, Sacramento
Mark Bradley, State Water Resources Control Board, OE, Sacramento
Butte County Division of Environmental Health, Chico
Marc Sulik, City of Chico Wastewater Treatment Plant Supervisor, Chico